



## Legislation Details (With Text)

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**File #:** 17-973      **Version:** 4      **Name:**  
**Type:** Ordinance      **Status:** Mayor's Office  
**File created:** 4/28/2017      **In control:** City Council  
**On agenda:** 9/12/2017      **Final action:** 9/12/2017  
**Title:** Ordinance No. 17-75 amending Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Entertainment Districts, Common Consumption Areas, and Promotional Associations.

Presenter:  
Sarah B. Johnson, City Clerk  
Lee McRae, License Enforcement Officer

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. EntDistrictORD-2017-07-27, 2. Signed Ordinance 17-75

| Date      | Ver. | Action By            | Action                    | Result |
|-----------|------|----------------------|---------------------------|--------|
| 9/12/2017 | 3    | City Council         | finally passed            | Pass   |
| 8/22/2017 | 3    | City Council         | approved on first reading | Pass   |
| 8/7/2017  | 3    | Council Work Session | referred                  |        |
| 5/8/2017  | 1    | Council Work Session | received                  |        |

Ordinance No. 17-75 amending Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Entertainment Districts, Common Consumption Areas, and Promotional Associations.

**Presenter:**

Sarah B. Johnson, City Clerk  
Lee McRae, License Enforcement Officer

**Summary:**

Presentation to discuss proposed ordinances and resolutions authorizing and implementing entertainment districts. Additionally, present the Liquor and Beer Rules and Regulations for the City of Colorado Springs which will govern the specific entertainment district's promotional association and common consumption area(s).

**Previous Council Action:**

City Council last amended the City's Liquor Code in 2016, and passed Ordinance 16-79 to add a Lodging and Entertainment Liquor License type.

On May 8, 2017, an informational presentation was provided to City Council regarding entertainment

districts, with Council direction to draft proposed ordinances and regulations for implementation of entertainment districts.

**Background:**

Colorado Senate Bill 11-273 provides authority to a local governing body of a local licensing authority to create entertainment districts within their jurisdiction for the purpose of allowing alcohol beverage consumption in common consumption area(s) organized by certain liquor licensee member promotional association(s).

Stakeholders within the City inquired into setting up entertainment district in Colorado Springs. This initiated Staff and City Council Member discussions regarding the requirements and associated City Code changes necessary to implement entertainment districts in compliance with the Colorado Liquor Code, C.R.S. § 12-47-101, et. seq.

Following the May 8, 2017, City Council informational presentation, the City Clerk's Office consulted with other Colorado jurisdictions that created or are in the process of creating entertainment districts. Using the best practices identified in those discussions, as well as with mindfulness to noted City Council concerns voiced during the informational presentation, the City Clerk's Office drafted the attached proposed enabling legislation and regulations for implementing entertainment districts. The proposed enabling legislation and regulations were presented to various stakeholders whose input was incorporated into the revision made to the Liquor and Beer Rules and Regulations for the City of Colorado Springs.

The enabling City Ordinance, § 2.5.206, amends the City's Liquor Code by authorizing entertainment districts, in accordance with the Colorado Liquor Code, C.R.S. § 12-47-101, et. seq. The specific regulations and certifying processes are identified in the companion, proposed, resolution amending the City's Liquor and Beer Rules and Regulations.

To create entertainment districts, City Council would need to first adopt the enabling ordinances. After the enabling ordinances are passed City Council would authorize all individual entertainment districts via resolution. The resolution for each entertainment district, authorized by City Council, will specify the size, hours of operation, and other reasonable restrictions for the specific district and neighborhood. A proposed sample resolution that reflects the minimum criteria is attached for your convenience. Amendments or changes to the regulation of a specific entertainment district will be done through resolution.

This item supports the City's strategic goals relating to Building Community and Collaborative Relationships and Excelling at City Services. Through the discussion and input from stakeholders and City departments, the proposals for allowing and enacting entertainment districts balance the enforcement and regulatory needs for consumption of alcohol beverages in defined public spaces with the desire to streamline and limit the bureaucratic process.

**Financial Implications:**

Pursuant to C.R.S Section 12-47-301(11)(f), the local "authority shall establish the fee in an amount designed to reasonable offset the cost of implementing" entertainment district and Common Consumption Areas. Proposed application fees are outlined in an accompanying resolution for amending the Liquor and Beer Rules and Regulations for the City of Colorado Springs, and are intended to adequately cover the costs associated to the review and certification of Promotional Associations and Common Consumption Areas.

**Board/Commission Recommendation:**

Entertainment District general information is being presented to the City's Liquor and Beer Licensing Board on August 4, 2017. Proposed changes to the code and rules would then be scheduled for action at the August 18, 2017 Liquor Board meeting, and forwarded to City Council for consideration/action.

**Stakeholder Process:**

Several meetings and follow up discussions were held with representatives of interested liquor licensees and organizations, where initial draft language was presented for comment and suggestions. City Council liaison for Chapter 2, Bill Murray, was also briefed and commented on the proposals.

**Alternatives:**

Set item for first reading at August 21, 2017 City Council Meeting

Remand item for further changes or discussion.

**Proposed Motion:**

Approve an Ordinance amending Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Entertainment Districts, Common Consumption Areas and Promotional Associations

Amend the City's Liquor Code to create the ability for enabling Entertainment Districts.